

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALBERTO VAZQUEZ

Defendant.

Criminal Case No. 08CR0901-BTM

I N F O R M A T I O N

Title 18, U.S.C., Sec. 371-  
Conspiracy

The United States Attorney charges:

Beginning on a date unknown but at least as early as August 1, 2004, and continuing up through at least February 15, 2006, within the Southern District of California, defendant ALBERTO VAZQUEZ did knowingly conspire and agree together with Luis Pena, and others known and unknown to commit offenses against the United States, to wit:

to knowingly facilitate the transportation and sale merchandise, to wit, prescription pharmaceuticals, after importation into the United States, knowing that the

1 merchandise had been imported contrary to law, in that it was  
2 not declared at the border, as required by Title 19, United  
3 States Code, Section 1461, and it was an unapproved new  
4 drug, pursuant to Title 21, United States Code, Section  
5 331(d), and that it was misbranded, in that it was held for  
6 sale after introduction into interstate commerce and  
7 dispensed without a written prescription from a licensed  
8 practitioner, and labeled in the Spanish language, which is  
9 prohibited by Title 21, United States Code, Section 331(a),  
10 331(k) and 353(b)(1); all in violation of Title 18, United  
11 States Code, Section 545;

12 In furtherance of the conspiracy and in order to effect the  
13 objects thereof, the following overt acts were committed within the  
14 Southern District of California:

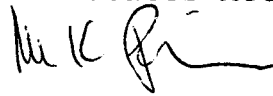
- 15 1. On or about March 20, 2004, Luis Pena, the owner of a  
16 pharmacy in Mexico, met with other co-conspirators at  
17 the Grand Colonial Hotel in La Jolla, California to  
18 discuss an online pharmacy business venture and agreed  
19 to provide prescription pharmaceuticals from Mexico  
20 which would be sold to residents of the United States  
21 via the internet without a prescription.
- 22 2. On November 19, 2004, defendant Alberto Vazquez  
23 purchased postage and mailed 89 Express Mail parcels  
24 from the U.S. Post Office on Midway Drive in San Diego,  
25 containing prescription pharmaceuticals that had been  
26 smuggled into the United States from Mexico, to  
27  
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1 customers throughout the United States, using a false  
2 return address.

3 All in violation of Title 18, United States Code, Section 371.

4  
5 DATED: April 1<sup>st</sup>, 2008.

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7 KAREN P. HEWITT  
8 United States Attorney

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10 MELANIE K. PIERSON  
11 Assistant U.S. Attorney  
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